

Exhibit 1

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

PEOPLE OF THE STATE OF MICHIGAN,

vs

Case No. 2022-279506-FC

ETHAN ROBERT CRUMBLEY,

Defendant.

/

PRETRIAL/PLEA

BEFORE THE HONORABLE KWAME' L. ROWE

Pontiac, Michigan - Monday, October 24, 2022

APPEARANCES:

For the People:

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MARC ANDREW KEAST (P69842)
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For the Defendant:

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WITNESSES:

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None.

EXHIBITS

Introduced

Admitted

None.

1 Pontiac, Michigan

2 Monday, October 24, 2022

3 - - -

4 (At 8:51 a.m., proceedings begin)

5 THE CLERK: Your Honor, calling People versus
6 Ethan Crumbley, case number 2022-279506-FC.

7 THE COURT: Thank you. Good morning.

8 Appearances for the record.

9 MS. MCDONALD: Karen McDonald on behalf of the
10 People of the State of Michigan.

11 MR. KEAST: Thank you. Marc Keast for the
12 People.

13 MS. LOFTIN: Good morning, Your Honor. Paulette
14 Michel Loftin on behalf of Ethan Crumbley.

15 MS. HOPP: Good morning, Your Honor. Amy Hopp
16 on behalf of Ethan Crumbley.

17 MS. MCKELVY: Good morning, Your Honor. Deborah
18 H. McKelvy on behalf of Ethan Crumbley.

19 THE COURT: Thank you. And good morning to all
20 counsel.

21 Today's the date and time set for a pretrial
22 this morning. How would you all like to proceed?

23 MR. KEAST: Judge, it's my understanding that
24 the Defendant is going to plead guilty to all 24 counts.

25 THE COURT: Thank you.

1 MS. LOFTIN: That is our understanding as well,
2 Your Honor.

3 First, we filed a notice asserting the defense
4 of insanity on January 27th of 2022. At this time, we are
5 withdrawing that notice, and will be proceeding with a
6 guilty plea.

7 THE COURT: Thank you. And I will let all
8 counsel know, you may remove your mask if you're
9 comfortable.

10 MS. LOFTIN: My client has completed a plea
11 form. May I approach your clerk?

12 THE COURT: You may.

13 MR. KEAST: Judge, for the record, we've also
14 executed a written statement of guilty plea for the Court.

15 THE COURT: Thank you. Thank you.

16 With that being said, is there anything else we
17 need to address before I take your client's plea, Ms.
18 Loftin?

19 MS. LOFTIN: Your Honor, I would ask the Court
20 to inquire of Ms. McKelvy, as the LGAL, if she had time to
21 meet with Mr. Crumbley, and what the decision should be.

22 THE COURT: Thank you.

23 Ms. McKelvy.

24 MS. MCKELVY: Good morning, Your Honor.

25 Your Honor, I did -- after Ms. Loftin and I

1 spoke that this was going to take place today, I went to
2 see him at the jail on Thursday. We did spend an
3 appreciable time discussing all this. I believe he under
4 -- I believe, as his lawyer-guardian ad litem, he does
5 understand what this process is, what his intent is to do
6 today, and I believe -- and I know that as part of the
7 plea form that he is doing this freely, voluntarily, and
8 knowingly, so I -- I do believe that this is something he
9 desires to do today.

10 THE COURT: Thank you.

11 With that being said, anything else from the
12 People?

13 MR. KEAST: No, Judge. Thank you.

14 THE COURT: Thank you.

15 Mr. Crumbley, if you could, please approach the
16 podium. Please raise your right hand. Under penalty of
17 perjury, do you swear or affirm that the statements you're
18 about to make will be the truth?

19 ETHAN CRUMBLEY: Yes, I do, Your Honor.

20 (At 8:53 a.m., Defendant sworn)

21 THE COURT: Thank you. You can put your hand
22 down.

23 What is your name?

24 ETHAN CRUMBLEY: Ethan Robert Crumbley.

25 THE COURT: And Mr. Crumbley, how old are you?

1 ETHAN CRUMBLEY: I'm 16 years old.

2 THE COURT: Can you read, write, and understand
3 the English language?

4 ETHAN CRUMBLEY: Yes, sir.

5 THE COURT: Can you hear and understand me, the
6 prosecutor, as well as your attorney?

7 ETHAN CRUMBLEY: Yes, sir.

8 THE COURT: Are you satisfied with the advice
9 your attorney has given you?

10 ETHAN CRUMBLEY: Yes, sir.

11 THE COURT: And you also have been appointed
12 another court-appointed attorney, as well as a legal
13 guardian ad litem. Did you have an opportunity to speak
14 to your legal guardian ad litem?

15 ETHAN CRUMBLEY: Yes, sir.

16 THE COURT: And having spoken to your legal
17 guardian ad litem, are you still prepared to proceed this
18 morning?

19 ETHAN CRUMBLEY: Yes, sir.

20 THE COURT: And you're comfortable with
21 proceeding?

22 ETHAN CRUMBLEY: Yes, sir.

23 THE COURT: You understand you have the right to
24 have the assistance of an attorney throughout all
25 proceedings, and if you could not afford an attorney, the

1 Court would appoint one for you?

2 ETHAN CRUMBLEY: Yes, sir.

3 THE COURT: You understand that you'll be
4 pleading guilty to count one, terrorism causing death;
5 that is a felony where you face up to life without parole,
6 or a minimum sentence of 25 to 40 years, and a maximum
7 sentence of at least 60 years. You may have to reimburse
8 the government for expenses incurred from the violation.

9 You're also charged in count two, first degree
10 premeditated murder; that is a felony where you face up to
11 life without parole, or a minimum of 25 to 40 years, and a
12 maximum sentence of at least 60 years.

13 You're charged in count three with first degree
14 premeditated murder; that is a felony where you face up to
15 life without parole, or a minimum of 25 to 40 years, and a
16 maximum sentence of at least 60 years.

17 You're charged in count four with first degree
18 murder; that is a felony where you face up to life without
19 parole, or a minimum sentence of 25 to 40 years, and a
20 maximum sentence of at least 60 years.

21 You're charged in count five with homicide,
22 first degree murder; that is a felony where you face up to
23 life without parole, or a minimum sentence of 25 to 40
24 years, and a maximum sentence of at least 60 years.

25 You're charged in count six with assault with

1 intent to murder; that is a felony where you face up to
2 life or any number of years.

3 You're charged in count seven with assault with
4 intent to murder; that is a felony where you face up to
5 life or any number of years.

6 You're charged in count eight with assault with
7 intent to murder; that is a felony where you face up to
8 life or any number of years.

9 You're charged in count nine with assault with
10 intent to murder; that is a felony where you face up to
11 life or any number of years in prison.

12 You're charged in count 10 with assault with
13 intent to murder; that is a felony where you face up to
14 life or any number of years with the Michigan Department
15 of Corrections.

16 You're charged in count 11 with assault with
17 intent to murder; that is a felony where you face up to
18 life or any number of years, again with the Michigan
19 Department of Corrections.

20 You're charged in count 12 with assault with
21 intent to murder; that is a felony where you face up to
22 life or any number of years with the Michigan Department
23 of Corrections.

24 You're charged with count 13, possession of a
25 firearm in the commission of a felony; I will note for the

1 record that you're charged in counts 13 through 24, all
2 being felony firearm offenses.

3 Counts 13 through 24, you face 2 years
4 consecutively with and preceding any term of imprisonment
5 imposed for the felony or attempted felony conviction.

6 You understand the maximum possible penalties
7 you face here?

8 ETHAN CRUMBLEY: Yes, sir.

9 THE COURT: You understand that the maximum
10 possible penalty you face here on the underlying offenses
11 is up to life in prison?

12 ETHAN CRUMBLEY: Yes, sir.

13 THE COURT: And that would be life in prison
14 without parole; you understand that?

15 ETHAN CRUMBLEY: Yes, sir.

16 THE COURT: Mr. Keast, is there a plea
17 agreement?

18 MR. KEAST: No, Your Honor.

19 THE COURT: Thank you.

20 Sir, did you have an opportunity to review
21 People's Exhibit Number 1 with your attorneys?

22 ETHAN CRUMBLEY: Yes, sir.

23 THE COURT: And this is the plea form that
24 covers all of your rights, sir?

25 ETHAN CRUMBLEY: Yes, sir.

1 THE COURT: And did you have an opportunity to
2 sign this form?

3 ETHAN CRUMBLEY: Yes, sir.

4 THE COURT: Thank you. And this form goes over
5 all of your rights; is that correct?

6 ETHAN CRUMBLEY: Yes, sir.

7 THE COURT: I'm going to cover your rights with
8 you here in court.

9 Sir, if your plea is accepted, you will not have
10 a trial of any kind, and you'll be giving up the following
11 rights.

12 The right to be tried by a jury, and throughout
13 the trial, the right to be presumed innocent, unless the
14 prosecutor proves your guilt beyond a reasonable doubt.

15 You'd be giving up the right to have witnesses
16 against you appear at the trial and to question witnesses
17 against you. You will also be giving up the right to have
18 the Court order any witnesses you have to appear at the
19 trial, and you will be giving up your right to remain
20 silent during the trial and the right to not have that
21 silence used against you during the trial. On the other
22 hand, you could testify at trial, if you wanted to
23 testify.

24 If your plea is accepted, you'll be giving up
25 any claim that the plea was the result of promises or

1 threats that were not disclosed on the record, or that the
2 plea was not of your own choice. Additionally, if your
3 plea is accepted, you may be giving up the right to appeal
4 issues that would be otherwise appealable if you were
5 convicted at trial. Any appeal from conviction and
6 sentence pursuant to this plea will be by application for
7 leave to appeal, and not by right.

8 A plea means you have a conviction that may be
9 used against you in the future. If you're on probation or
10 parole, these pleas could affect your status; you
11 understand that?

12 ETHAN CRUMBLEY: Yes.

13 THE COURT: Were you born in the United States?

14 ETHAN CRUMBLEY: Yes, sir.

15 THE COURT: I do have to advise you that if you
16 were not born in the United States, that this plea could
17 affect your immigration status.

18 Sir, has anyone promised you anything or made
19 threats that have not been stated on the record?

20 ETHAN CRUMBLEY: No, sir.

21 THE COURT: Is it your own choice to plead
22 guilty?

23 ETHAN CRUMBLEY: Yes, sir.

24 THE COURT: Do you need any more time to talk to
25 your attorneys about any of your rights?

1 ETHAN CRUMBLEY: No, sir.

2 THE COURT: And I will allow the prosecutor to
3 conduct the voir dire; however, I will ask you, sir, did
4 these offenses occur on or about November 30th, 2021, in
5 Oakland County?

6 ETHAN CRUMBLEY: Yes, sir.

7 THE COURT: What city or township?

8 ETHAN CRUMBLEY: Oxford.

9 THE COURT: Thank you.
10 People?

11 MR. KEAST: Thank you, Judge.

12 Sir, on that date, November the 30th, 2021, in
13 Oakland County, Michigan, did you bring a 9 millimeter Sig
14 Sauer handgun and 50 rounds of 9 millimeter ammunition
15 with you to the Oxford High School?

16 ETHAN CRUMBLEY: Yes, sir.

17 MR. KEAST: Did you keep the gun and ammunition
18 in your backpack with you that day?

19 ETHAN CRUMBLEY: Yes.

20 MR. KEAST: Is it true that at approximately
21 12:49 p.m. on that date, you entered a boys' bathroom in
22 the Oxford High School?

23 ETHAN CRUMBLEY: Yes.

24 MR. KEAST: Is it true that while --

25 THE COURT: I'm sorry; can you keep your voice

1 up for me?

2 ETHAN CRUMBLEY: Yes, sir.

3 MR. KEAST: Is it true that while inside the
4 boys' bathroom, in the stall in the bathroom, you removed
5 the handgun from your backpack?

6 ETHAN CRUMBLEY: Yes.

7 MR. KEAST: Is it true that you ensured that the
8 handgun was loaded?

9 ETHAN CRUMBLEY: Yes.

10 MR. KEAST: Is it true that you exited the
11 bathroom approximately 12:51 p.m. on November the 30th,
12 2021?

13 ETHAN CRUMBLEY: Yes.

14 MR. KEAST: Is it true that when you exited the
15 bathroom, you began shooting at students and staff members
16 of the Oxford High School?

17 ETHAN CRUMBLEY: Yes.

18 MR. KEAST: Judge, for the specific factual
19 basis, I'm going to do counts two through five, and then
20 count one.

21 THE COURT: Please.

22 MR. KEAST: Regarding count two, first degree
23 murder; is it true on November the 30th, 2021, while you
24 were in Oxford, County of Oakland, you deliberately, with
25 the intent to kill, and with premeditation, used a 9

1 millimeter handgun to shoot and kill Ms. Madisyn Baldwin?

2 ETHAN CRUMBLEY: Yes.

3 MR. KEAST: Is it true on November the 30th,
4 2021, while you were in Oxford, County of Oakland, you did
5 deliberately, with the intent to kill, and with
6 premeditation, use a 9 millimeter handgun and shoot and
7 kill Mr. Tate Myre?

8 ETHAN CRUMBLEY: Yes.

9 MR. KEAST: Is it true on November the 30th,
10 2021, while you were in Oxford, County of Oakland, you
11 deliberately, with the intent to kill, and with
12 premeditation, did use a 9 millimeter handgun and shoot
13 and kill Ms. Hana St. Juliana?

14 ETHAN CRUMBLEY: Yes.

15 MR. KEAST: Is it true on November the 30th,
16 2021, while you were in Oxford, County of Oakland, you did
17 deliberately, with the intent to kill, and with
18 premeditation, use a 9 millimeter handgun to shoot and
19 kill Mr. Justin Shilling?

20 ETHAN CRUMBLEY: Yes.

21 THE COURT: Could you repeat your answer, sir?

22 ETHAN CRUMBLEY: Yes.

23 THE COURT: Thank you.

24 MR. KEAST: Is it true that on November the
25 30th, 2021, when you committed the crimes of first degree

1 premeditated murder in Oxford, County of Oakland, that you
2 acted knowingly, willfully, deliberately, meaning you
3 considered the pros and cons of your actions, then you
4 made the decision after substantial reflection to commit
5 first degree premeditated murder?

6 ETHAN CRUMBLEY: Yes.

7 MR. KEAST: Is it true that you knew or had
8 reason to know that your choices on November the 30th,
9 2021, in committing these crimes, would cause a
10 substantial likelihood of death or serious injury?

11 ETHAN CRUMBLEY: Yes.

12 MR. KEAST: Is it true when you committed these
13 crimes, you intended to put students and teachers in fear,
14 and you intended to cause panic among the Oxford High
15 School community?

16 ETHAN CRUMBLEY: Yes.

17 MR. KEAST: Is it true that your actions on
18 November the 30th, 2021, caused the deaths of Madisyn
19 Baldwin, Tate Myre, Hana St. Juliana, and Justin Shilling?

20 ETHAN CRUMBLEY: Yes.

21 MR. KEAST: Regarding count six; is it true that
22 on November the 30th, 2021, you assaulted Ms. Phoebe
23 Arthur, by shooting her with a 9 millimeter handgun, and
24 it was your intention to kill her?

25 ETHAN CRUMBLEY: Yes.

1 MR. KEAST: Count seven; is it true that on
2 November the 30th, 2021, you assaulted Mr. John Asciutto,
3 by shooting him with a 9 millimeter handgun, and was it
4 your intention to kill him?

5 ETHAN CRUMBLEY: Yes.

6 MR. KEAST: Count eight; is it true that on
7 November the 30th, 2021, you assaulted Ms. Molly Darnell,
8 by shooting her with a 9 millimeter handgun, and it was
9 your intention to kill her?

10 ETHAN CRUMBLEY: Yes.

11 MR. KEAST: Count nine; is it true that on
12 November the 30th, 2021, you assaulted Ms. Riley Franz, by
13 shooting her with a 9 millimeter handgun, and it was your
14 intention to kill her?

15 ETHAN CRUMBLEY: Yes.

16 MR. KEAST: Count 10; is it true that on
17 November the 30th, 2021, you assaulted Mr. Elijah Mueller,
18 by shooting him with a 9 millimeter handgun, and it was
19 your intention to kill him?

20 ETHAN CRUMBLEY: Yes.

21 MR. KEAST: Count 11; is it true that on
22 November the 30th, 2021, you assaulted Ms. Kylie Ossege,
23 with the intent to commit the crime of murder, and it was
24 -- by shooting her with a 9 millimeter handgun, and it was
25 your intention to kill her?

1 ETHAN CRUMBLEY: Yes.

2 MR. KEAST: Count 12; is it true that on
3 November the 30th, 2021, you assaulted Mr. Aiden Watson,
4 by shooting him with a 9 millimeter handgun, and it was
5 your intention to kill him?

6 ETHAN CRUMBLEY: Yes.

7 MR. KEAST: For counts 13 through 24, Judge, I'm
8 going to take the factual basis all at once; these are all
9 the felony firearm crimes.

10 Is it true on November 30th, 2021, that all
11 crimes were carried out while you possessed and used that
12 9 millimeter handgun?

13 ETHAN CRUMBLEY: Yes.

14 MR. KEAST: Is it true that the firearm that you
15 used on November the 30th was purchased on November the
16 26th, 2021, by your father, James Crumbley?

17 ETHAN CRUMBLEY: Yes.

18 MR. KEAST: Is it true that you asked him to buy
19 that firearm?

20 ETHAN CRUMBLEY: Yes.

21 MR. KEAST: Is it true that you gave him your
22 own money to buy that firearm?

23 ETHAN CRUMBLEY: Yes.

24 MR. KEAST: Is it true that you picked that gun
25 out to buy?

1 ETHAN CRUMBLEY: Yes.

2 MR. KEAST: Is it true that on November the
3 30th, 2021, that 9 millimeter handgun that you used at
4 Oxford High School was not kept in a safe or locked
5 container?

6 ETHAN CRUMBLEY: I'm sorry; repeat that.

7 MR. KEAST: Is it true on November the 30th,
8 2021, when you obtained the firearm, it was not kept in a
9 locked container or a safe?

10 ETHAN CRUMBLEY: Yes, it was not locked.

11 MR. KEAST: The People are satisfied.

12 THE COURT: Thank you. The Court adopts the
13 People's voir dire as its own.

14 With that being said, defense satisfied as well?

15 MS. LOFTIN: Defense is satisfied.

16 THE COURT: Thank you.

17 Does the prosecutor and the defense attorney
18 agree that the Court has complied with subrules B through
19 D?

20 MR. KEAST: Yes, Your Honor.

21 MS. MCDONALD: Yes, Your Honor.

22 MS. LOFTIN: You have, Your Honor.

23 THE COURT: Thank you. And if I haven't stated
24 it, based upon that voir dire, I do believe there's a
25 sufficient factual basis for the convictions in counts one

1 through 24.

2 With that being said, is either prosecutor or
3 defense attorney aware of any promises, threats, or
4 inducements, other than those disclosed on the record?

5 MR. KEAST: No, Your Honor.

6 MS. MCDONALD: No.

7 MS. LOFTIN: No, Your Honor.

8 THE COURT: Thank you. The Court finds the plea
9 to be voluntary, understanding, and accurately given, and
10 I accept the plea.

11 The Court will set this matter for a tentative
12 *Miller* hearing on February 9th, 2023, at 9 a.m. That will
13 be in person here in my courtroom.

14 As counsel is aware, we must continue to conduct
15 a review hearing every 30 days because the Defendant is a
16 minor at the Oakland County Jail. As such, the Court will
17 conduct a review hearing in this matter on November 29th,
18 2022, at 9 a.m., via Zoom.

19 With that being said, is there anything else for
20 the record this morning?

21 MR. KEAST: Judge, just I did want to note for
22 the record that paragraph 2 of our statement of guilty
23 plea does indicate that to the extent it ever becomes
24 necessary, the parties do agree to supplement today's
25 record with all case reports, all evidence submitted to

1 this Court during the juvenile justice and delinquency
2 prevention hearings that occurred February 22nd, March
3 24th, April 21st, May 19th, June 23rd, July 22nd, August
4 25th, September 22nd, Oct -- and October the 20th.

5 THE COURT: Thank you. So noted.

6 Anything else for the record?

7 MS. MCDONALD: Just one moment, Your Honor.

8 MR. KEAST: Judge, just so the record is clear,
9 the tentative *Miller* hearing date is February the 9th.
10 We'll have a sentencing hearing after that date; is that
11 correct?

12 THE COURT: That is correct. The Court will set
13 it for sentencing after I've conducted the *Miller* hearing,
14 to give myself an opportunity to make a decision about the
15 *Miller* hearing, as well as to allow counsel to supplement
16 any record that they need to supplement.

17 MS. MCDONALD: As you know, Your Honor, we have
18 a lot of victims in the courtroom today, a lot of victims
19 watching, and just to put on the record that they will
20 have an opportunity to make a statement to the Court at
21 the time of sentencing.

22 THE COURT: Absolutely.

23 MS. MCDONALD: Thank you.

24 THE COURT: Thank you.

25 With that being said, anything else?

1 MR. KEAST: No, Judge. Thank you.

2 MS. MCDONALD: Thank you, Your Honor.

3 MS. LOFTIN: No, Your Honor.

4 THE COURT: Thank you. Deputies, you may take
5 the Defendant. Thank you.

6 If everyone in the courtroom could please be
7 seated.

8 Thank you. With that being said, the Court is
9 going to stand in recess.

10 THE CLERK: All rise.

11 (At 9:06 a.m., proceedings concluded)

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CERTIFICATION

I certify that this transcript, consisting of 23 pages, is a true and accurate transcription, to the best of my ability, of the video proceeding in this case before the Honorable Kwame' L. Rowe on Monday, October 24, 2022, as recorded by the clerk.

Videotape proceedings were recorded and were provided to this transcriptionist by the court and this certified reporter accepts no responsibility for any events that occurred during the above proceedings, for any inaudible and/or indiscernible responses by any person or party involved in the proceedings, or for the content of the videotape provided.



/s/ Deanna L. Harrison, CER 7464
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